

Message Text

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PAGE 01 LAGOS 07173 271315Z
ACTION AF-10

INFO OCT-01 ISO-00 EB-07 L-03 /021 W
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TO USDOC WASHDC
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AMCONSUL KADUNA
AMCONSUL IBADAN

UNCLAS LAGOS 07173

E. O. 11652: NA
TAGS: BDIS, NI
SUBJ: TRADE COMPLAINT: MCILVAINE VS. SOPROG CONSTRUCTION
CO.

REF : 76 LAGOS 13213

1. SINCE REFTEL, WE EXCHANGED LETTERS WITH SOPROG MANAGING DIRECTOR PRINCE YEMI EWEKA, WHO ACKNOWLEDGED THAT MCILVAINE WAS SOPROG EMPLOYEE BUT REFUSED FURTHER COMMENT ON GROUND MCILVAINE HAD TAKEN CASE TO COURT IN U.S. TRANSMITTED GIST TO MCILVAINE BY LETTER.

2. ON JUNE 27 RECEIVED LETTER DATED MARCH 2 FROM JOHN C. BUTERA OF BUTERA AND DETWILER, ATTORNEYS, 700 VALLEY FORGE PLAZA, KING OF PRUSSIA, PA. 19406, TELEPHONE 215-265-0800. LETTER PROBABLY DELAYED BY INCOMPLETE ADDRESS AND INADEQUATE POSTAGE OF EIGHTEEN CENTS. BUTERA CLAIMS BE MCILWAINE'S LAWYER NOW AND ASKS US QUOTE ILLICIT (SIC) SPECIFIC REACTION BY PRINCE EWEKA AND SOPROG ABOUT THEIR POSITION WITH RESPECT TO ANY OBLIGATION TO MR. MCILVAINE UNQUOTE. LETTER FURTHER STATES ANY AMERICAN COURT DECISION QUOTE WOULD HAVE MINIMAL IMPACT ON COURTS IN NIGERIA UNQUOTE AND GENERALLY IMPLIES BUTERA INCLINED RELY ON EMBASSY MEDIATION RATHER
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PAGE 02 LAGOS 07173 271315Z

THAN AMERICAN OR NIGERIAN COURTS.

3. SINCE LETTER ALMOST FOUR MONTHS OLD, DESIRE LEARN CURRENT STATUS OF CASE AND THEREFORE REQUEST USDOC CONTACT BUTERA AS FOLLOWS:

A. UNDER BRITISH LEGAL DOCTRINE OF SUB JUDICE, EWEKA

UNLIKELY DISCUSS CASE AS LONG AS IT IN COURT. WHAT IS
STATUS OF AND OUTLOOK FOR COURT CASE?

B. EMBASSY HAD HEARD THAT MCILVAINE HAD RETURNED TO
NIGERIA AND IS WORKING HERE. PLEASE PROVIDE HIS WHERE-
ABOUTS SINCE LAST OCTOBER.

C. IN LIGHT ABOVE AND CURRENT STATUS CASE, WHAT SPECIFI-
CALLY DOES BUTERA WISH EMBASSY TO DO NOW? (FYI: HIS
LETTER UNCLEAR MANY RESPECTS.)
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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition History: n/a
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